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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of: _____ :
Stephen N. Weiss et al. _____ :
_____ :
Conf. No.: 2854 _____ : Group Art Unit: 3711
_____ :
Appln. No.: 10/699,453 _____ : Examiner: Cegielnik, Urszula M.
_____ :
Filing Date: October 30, 2003 _____ : Attorney Docket No.: 4110-276U1
_____ :
Title: REMOTELY CONTROLLED TOY VEHICLES WITH LIGHT(S)

APPLICANTS' COMMENT TO STATEMENT OF REASONS FOR ALLOWANCE

Rule 1.104(e) and MPEP 1302.14 permit the Examiner to set forth a written statement of reasons for allowance under certain circumstances. MPEP 1302.14, requires the statement to be "accurate". The Examiner's statement of reason(s) for allowance is factually incorrect in that the Examiner continues to assert that the primary reference Tachau (2001/0051488) discloses, among other things, a hinged, three part chassis citing Fig. 167A. For the reasons previously set forth by Applicants in this application in the Pre-Appeal Brief Request for Review and in the Amendment filed December 12, 2005, this interpretation is traversed.

In addition, Applicants assert that the claims are allowable over the cited prior art for additional reasons not addressed by the Examiner's Statement of Reasons for Allowance and applicants reserve all of their rights to rely upon any of those reasons in any future proceedings.

CORRESPONDENCE ADDRESS

22 May 2007
(Date)

By: _____

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